



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 05-1869
June 28, 2005

WIRELINE COMPETITION BUREAU SEEKS COMMENT ON REQUESTS FOR WAIVER AND DECLARATORY RULING CONCERNING LIFELINE RULES

PLEADING CYCLE ESTABLISHED

WC Docket No. 03-109

Comment Date: July 13, 2005

Reply Comment Date: July 28, 2005

Several eligible telecommunications carriers (“ETCs”) have filed petitions with the Commission seeking a waiver of section 54.410(c)(2) of the Commission’s rules, 47 C.F.R. § 54.410(c)(2), requesting an additional 90 days in which to submit sample Lifeline verification data.¹ These ETCs and others also request a declaratory ruling that where a state commission mandates Lifeline support and does not impose certification and verification requirements on commercial mobile radio services (“CMRS”) carriers, it is legally sufficient for a CMRS carrier to follow section 54.410 of the Commission’s rules, 47 C.F.R. § 54.410, for certification and verification.²

¹ The following petitions were filed seeking a waiver of section 54.410(c)(2) and a declaratory ruling: US Cellular Corporation, USOC of Washington RSA-4, Inc., Western Sub-RSA Ltd. Partnership, McDaniel Cellular Telephone Company, Oregon RSA No. 2 Limited Partnership, United States Cellular Operating Company of Richland, and Yakima Washington MSA Limited Partnership Petition for Waiver of the Federal Communications Commission’s Rules for Filing Sample Lifeline Verification Data and for Declaratory Ruling Regarding the Commission’s Lifeline Verification Rules, WC Docket No. 03-109 (June 17, 2005); Alaska DigiTel, LLC Petition for Waiver of the Federal Communications Commission’s Rules for Filing Sample Lifeline Verification Data and for Declaratory Ruling Regarding the Commission’s Lifeline Verification Rules, WC Docket No. 03-109 (June 17, 2005); US Cellular Corporation, US Cellular Operating Company, LLC, Green Bay Celltelco, Kenosha Cellular Telephone, L.P., Madison Cellular Telephone Company, Racine Cellular Telephone Company, and Lacrosse Cellular Telephone Company Petition for Waiver of the Federal Communications Commission’s Rules for Filing Sample Lifeline Verification Data and for Declaratory Ruling Regarding the Commission’s Lifeline Verification Rules, WC Docket No. 03-109 (June 17, 2005); and Virginia Cellular, LLC d/b/a Cellular One Petition for Waiver of the Federal Communications Commission’s Rules for Filing Sample Lifeline Verification Data and for Declaratory Ruling Regarding the Commission’s Lifeline Verification Rules, WC Docket No. 03-109 (June 17, 2005).

² The following petitions seek only a declaratory ruling: Wisconsin RSA #4 Limited Partnership, Wausau Cellular Telephone Limited Partnership, Nsighttel Wireless, LLC, Metro Southwest PCS, LLP, Wisconsin RSA #10, and Brown County MSA Cellular Limited Partnership Request for Declaratory Ruling Regarding the Federal Communications Commission’s Lifeline Verification Rules, WC Docket No. 03-109 (June 17, 2005); RCC Minnesota, Inc. Request for Declaratory Ruling Regarding the Federal Communications Commission’s Lifeline Verification Rules, WC Docket No. 03-109 (June 17, 2005).

We invite comment on these petitions. Pursuant to applicable procedures set forth in sections 1.415 and 1.419 of the Commission's rules, interested parties may file comments on or before **July 13, 2005**; and reply comments on or before **July 28, 2005**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998).

Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to <ecfs@fcc.gov>, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail).

The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission.

Parties also must send three paper copies of their filing to Sheryl Todd, Telecommunications Access Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-B540, Washington, D.C. 20554. In addition, commenters must send diskette copies to the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554.

Pursuant to section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which ex parte communications are permitted subject to disclosure.

For further information, contact Mika Savir, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-0384, TTY (202) 418-0484, or Mika.Savir@fcc.gov.